Miranda v. Arizona

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Definition

Ernesto Arturo Miranda was arrested for rape in 1963. Later, he confessed to robbery and attempted rape while being interrogated by the police. During the trial, his confession was the only form of evidence presented by the prosecutors. Miranda was convicted of rape and kidnapping and sentenced to 20–30 years incarceration for each charge, with sentences to run concurrently. Alvin Moore, Miranda's court-appointed lawyer, appealed to the Arizona Supreme Court, which confirmed the trial court's decision because Miranda did not specifically request counsel. However, the US Supreme Court overruled the decision based on violation of the fifth (right against self-incrimination) amendment. Specifically, the court ruled that any statement by a criminal suspect stemming from a custodial police interrogation would be presumed involuntary and inadmissible unless police detectives provided the suspect with four warnings to remind the defendant of his or her constitutional rights. These

rights include the following: (1) the right to remain silent; (2) statements made by the suspect may be used as evidence in court against them; (3) the right to an attorney during and after the interrogation; and (4) the right to a court-appointed attorney if the suspect cannot afford one. The Court also ruled that a defendant may waive his rights, provided the waiver is made *knowingly, intelligently, and voluntarily*. These three areas are the primary focus of the forensic psychologist's examination of whether or not the defendant's confession was coerced or not. The aforementioned rights are commonly referred to as the "Miranda rights."

References and Readings

- Frumkin, B. (2000). Competency to waive Miranda rights: Clinical and legal issues. *Mental and Physical Disability Law Reporter*, 24, 326–331.
- Grisso, T. (1998). *Assessing understanding and appreciation of Miranda rights: Manual and materials*. Sarasota: Professional Resources Press.
- Melton, G. B., Petrila, J., Poythress, N. G., & Slobogin, C. (2007). *Psychological evaluations for the courts* (3rd ed.). New York: Guilford Press.
- Miranda v. Arizona*, 384 U.S. 436 (1966).
- Oberlander, L. B., Goldstein, N. E., & Goldstein, A. M. (2003). Competence to confess. In A. Goldstein (Ed.), *Handbook of psychology, Vol. 11. Forensic psychology*. Hoboken: Wiley.